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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

NEVADA POWER COMPANY d/b/a NV Energy
and SIERRA PACIFIC POWER COMPANY
d/b/a NV Energy,

Plaintiffs,

v.

TRENCH FRANCE, S.A.S. and TRENCH
LIMITED,

Defendants.

Case No. 2:19-cv-01252-JAD-VCF

**STIPULATION TO EXTEND TIME TO
FILE REPLY BRIEFS IN SUPPORT OF
TRENCH DEFENDANTS' 12(b)(2)
MOTIONS TO DISMISS (ECF Nos. 96
and 97)**

(First Request)

ECF No. 125

Defendants Trench Limited and Trench France, S.A.S (collectively "Trench Defendants")
filed Motions to Dismiss the Second Amended Complaint pursuant to Rules 12(b)(2) and 12(b)(6)
("the Subject Motions"). ECF Nos. 96 and 97.

1 On June 30, 2020, the parties filed a Stipulation to Extend the Briefing Schedule. ECF No.
2 101. For the reasons stated in the stipulation, the parties agreed to brief the Rule 12(b)(2) and Rule
3 12(b)(6) aspects of the Trench Defendants' motions to dismiss separately. With respect to the Rule
4 12(b)(2) aspect of the Trench Defendants' motions to dismiss, the parties agreed that Plaintiffs would
5 have until August 31, 2020 to file an opposition or response, and thus a reply in support of the motions
6 would be due September 14, 2020. *See* ECF No. 101. With respect to the Rule 12(b)(6) aspect of
7 the Trench Defendants' motions to dismiss, the parties agreed that Plaintiffs would have until July
8 16, 2020 to file an opposition or response, and thus a reply in support of the motions would be due
9 July 30, 2020. *Ibid.* The Court entered an order approving the parties' stipulation on July 2, 2020.
10 *See* ECF No. 102.

11 In accordance with the Court's order (ECF No. 102), Plaintiffs filed their opposition to the
12 Trench Defendants' Rule 12(b)(6) motion to dismiss on July 16, 2020. ECF No. 103. And the Trench
13 Defendants filed their reply in support of the Rule 12(b)(6) motions to dismiss on July 30, 2020. ECF
14 No. 105.

15 On August 31, 2020, the parties filed a Stipulation to Extend the Briefing Schedule in
16 Connection with Defendants' Rule 12(b)(2) Motions to Dismiss. ECF No. 116. The stipulation was
17 entered into because, among other things, Plaintiffs needed "more time" to evaluate jurisdictional
18 discovery they had recently received, and they wanted to avoid pre- and post-discovery briefing on
19 jurisdiction. *Id.* at 2. The parties therefore agreed that Plaintiffs would have until October 9, 2020 to
20 file their opposition or response to the Rule 12(b)(2) motions to dismiss, and thus the reply in support
21 of the motions would be due October 23, 2020. *Id.* at 3. The Court entered an order approving the
22 parties' stipulation on September 1, 2020. *See* ECF No. 117.

23 Plaintiffs filed their opposition to the Rule 12(b)(2) motions to dismiss on October 9, 2020.
24 ECF No. 120. The Trench Defendants' reply in support of the Rule 12(b)(2) motions, therefore, is
25 due October 23, 2020. *See* ECF No. 117.

26 Given the complexity of the issues involved in the subject motions and Plaintiffs' oppositions
27 to the motions to dismiss for lack of jurisdiction, however, the Trench Defendants reasonably require
28 additional time to prepare their reply briefs in support of the motions. The Parties, therefore, stipulate

to a short 7-day extension of time for the Trench Defendants to file their reply briefs in support of the Rule 12(b)(2) motions, and respectfully request that an order be entered extending the filing deadline from October 23, 2020 to October 30, 2020. This extension request is made in good faith and not for the purpose of delay.

DATED this 23rd day of October, 2020.

SANTORO WHITMIRE

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By: /s/James E. Whitmire (with permission)

By: /s/Curtis J. Busby

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IT IS SO ORDERED:

DATED: 10-23-2020


UNITED STATES DISTRICT COURT JUDGE